

MILSTEIN, ADELMAN & KREGER, LLP

Wayne S. Kreger, State Bar No. 154759

Sara D. Avila, State Bar No. 263213

2800 Donald Douglas Loop North

Santa Monica, California 90405

Telephone: (310) 396-9600

Fax: (310) 396-9635

WHATLEY DRAKE KALLAS

Joe Whatley, Jr. (*Pro Hac Vice*) NY Bar No. 4406088)

1540 BROADWAY, 37TH FLOOR

NEW YORK, NY 10036

Telephone: (212) 447-7070

LAW OFFICES OF HOWARD WEIL RUBINSTEIN

Howard W. Rubinstein (*Pro Hac Vice*) FL Bar No. 104108)

Post Office Box 4839

Aspen, Colorado 81611

Telephone: (832) 715-2788

Attorneys for Plaintiff Michelle Weeks

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

SABENA LAKSHMI KAMMULA and
MICHELLE WEEKS, individually and
on behalf of all others similarly
situated,

Plaintiff,

vs.

KELLOGG COMPANY, a Delaware
corporation; KELLOGG USA, INC., a
Michigan corporation; KELLOGG
SALES COMPANY, a Delaware
corporation, and DOES 1 through 100,
inclusive,

Defendants.

No. CV09-08102 (MMM) (RZx)

DECLARATION OF MICHELLE
WEEKS IN SUPPORT OF
PLAINTIFF'S SUPPLEMENTAL
MEMORANDUM IN SUPPORT OF
PLAINTIFF'S MOTION FOR CLASS
CERTIFICATION

[Filed concurrently with Supplemental
Memorandum of Points & Authorities
in Support of Motion for Class
Certification and Supplemental
Declaration of Wayne S. Kreger, Esq.
(both filed conditionally Under Seal);
[Proposed] Order]

Date: August 30, 2010

Time: 10:00 A.M.

Crtrm: 780

Judge: Hon. Margaret M. Morrow

DECLARATION OF MICHELLE WEEKS

I, Michelle Weeks, hereby declare as follows:

1. I am a plaintiff in this action and have personal knowledge of all matters stated herein. I am filing this Declaration in support of Plaintiff's Motion for Class Certification and Supplemental Memorandum of Points and Authorities in Support of Plaintiff's Motion for Class Certification, the latter of which was filed conditionally under seal along with the Supplemental Declaration of Wayne S. Kreger, which was also conditionally filed under seal.

2. I am the mother of a young child.

3. In the summer of 2009 I was particularly concerned with supporting my child's immune system and my immune system.

4. During that time, I purchased Cocoa Krispies and Rice Krispies ("Immunity Cereals") from an Albertsons in Oxnard, California. The Immunity Cereals cost me a few dollars for each box..

5. Before deciding to purchase the boxes of Immunity Cereals, I recall reviewing the entire product label and all of the statements thereon, including the statement written on the front of the box in large bold letters: "NOW HELPS SUPPORT YOUR CHILD'S IMMUNITY" and other statements that the product would keep my family healthy. I purchased the Immunity Cereals because I believed, as the labels stated, that eating the Immunity Cereals would "help support" me and my child's immune systems and keep my family healthy. I would not have purchased the Immunity Cereals if the labels had not made these statements.

6. Unfortunately, after using the Immunity Cereals for several weeks, my children did not experience additional support to their immune systems.

7. In approximately April 2010 I learned of the above-entitled class action lawsuit pending case against Kellogg regarding the Immunity Cereals. I contacted counsel for the putative class and expressed my interest in participating in the lawsuit and serving as a class representative for the case.

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1 8. I do not have any conflicts of interest with any other members of the proposed
2 class.

3 9. As alleged in the Second Amended Complaint, I am informed and believe that
4 Kellogg's claims on its Immunity Cereals labels are false because they are
5 unsubstantiated by any competent or reliable scientific studies on the Immunity
6 Cereals themselves.

7 10. Knowing what I know now, I would not have purchased the Immunity
8 Cereals. I certainly would not have paid the amounts I did for cereal that is not
9 capable of keeping me and my family healthy, nor capable of supporting our immune
10 systems.

11 11. I believe that each member of the class is entitled to damages and/or some form
12 of restitution, my primary goal was to stop Kellogg from making false claims on its
13 product labels for the Cocoa Krispies and Rice Krispies cereals. I believe that
14 consumers have the right to know the truth about what they are buying and putting
15 into their bodies. I believe that Kellogg should be required to accurately label and
16 advertise its Cocoa Krispies and Rice Krispies so that consumers know what they are
17 buying.

18 12. I have reviewed the complaint in this case, provided information to counsel,
19 and have been in communication with counsel throughout the period of my
20 involvement in this litigation. I understand the claims asserted in this lawsuit and I
21 am familiar with all the underlying facts of this lawsuit.

22
23 I declare under the penalty of perjury under the laws of the United States of America
24 and the State of California that the foregoing is true and correct.

25 Executed on June 9, 2010 in Oxnard, California.
26
27

28 /s/ Michelle Weeks

Michelle Weeks
Declarant

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